

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

VANESSA TAYLOR,
Personal Representative of the Estate of
Joseph A. Savage, deceased,

Plaintiff,

v.

SETHMAR TRANSPORTATION, INC.,
et al.

Defendants.

Case No.: 2:19-cv-00770

STIPULATION OF DISMISSAL OF CERTAIN CLAIMS

In accordance with Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff Vanessa Taylor, Personal Representative of the Estate of Joseph A. Savage, and Defendant Sunshine Mills, Inc. (“Sunshine Mills”), acting by and through counsel, agree to this Stipulation of Dismissal as follows:

1. Defendant Sunshine Mills, including any and all claims which were or could have been asserted against them, is voluntarily dismissed *with prejudice* in this action.
2. Plaintiff and Defendant Sunshine Mills shall each bear their own costs, expenses and attorneys’ fees incurred with respect to the claims which were or could have been asserted against Defendant Sunshine Mills in this action.
3. Defendant Sunshine Mills admits that it did not have any contract or other agreement with Defendants Z Brothers Logistics, LLC or Alisher Mansurov or otherwise know or have reason to believe that Z Brothers Logistics, LLC would transport the load at issue in this action.
4. Defendant Sunshine Mills shall cooperate in good faith with reasonable discovery efforts in this action, including informal document production, appearance at video deposition and, if necessary, at trial; and, prior to the filing of this fully executed

stipulation, it shall withdraw its pending Motion to Dismiss Amended Complaint (ECF No. 51).

5. Defendant Sunshine Mills hereby dismisses *with prejudice* any claims or cross claims which were or could have been asserted in this action against Defendants Sethmar Transportation, Inc., Freight Movers, Inc., Z Brothers Logistics, LLC and Alisher Mansurov, with each party to bear its own costs and expenses.
6. No money or other thing of monetary value has been or will be exchanged between these parties in support of this Stipulation of Dismissal.

The approval of this Stipulation of Dismissal of Certain Claims by counsel of all parties who or which have appeared in this matter is shown by the signatures of their counsel below.

Dated: May 6, 2020

JOINTLY AGREED TO AND SUBMITTED BY:

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